

**DECLARATION AND POWER OF ATTORNEY- USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled EG-VEGF NUCLEIC ACIDS AND POLYPEPTIDES AND METHODS OF USE; the specification of which was filed on 06/20/2001 as Application Serial No. 09/886,242.

I hereby state that I have reviewed and understand the contents of the above identified specification;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/230,978

Filing Date: 09/07/2000

Application No.: 60/213,637

Filing Date: 06/23/2000

and under 35 U.S.C. §119(a) it also claims priority to international application number PCT/US00/32678 filed on December 1, 2000, which in turn claims the benefit of the filing date in the United States under 35 U.S.C. §120 of international applications PCT/US00/08439 filed on March 30, 2000, PCT/US00/04914 filed on February 24, 2000, and PCT/US00/00219 filed on January 5, 2000, the latter claiming priority under 35 U.S.C. § 119(e) to provisional application number 60/145,698 filed on July 26, 1999 (now abandoned), and under 35 U.S.C. §120 claiming the benefit of the filing date in the United States of international application PCT/US99/12252 filed on June 2, 1999, which in turn claim priority under 35 U.S.C. § 119(e) to provisional application number 60/096,146 filed on August 11, 1998 (now abandoned). This application further claims priority under 35 U.S.C. § 120 to application serial number 09/709,238 filed on November 8, 2000, which is a continuation of application serial number 09/380,137 filed on August 25, 1999, which is a national phase application of PCT application number PCT/US99/12252, and claims priority under 35 U.S.C. §119(e) to provisional application number 60/096,146 filed on August 11, 1998 (now abandoned).

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Napoleone Ferrara**

Inventor's signature _____

Date _____

Residence: 2090 Pacific Avenue #704, San Francisco, CA 94109

Citizenship: U.S.

Post Office Address: 2090 Pacific Avenue #704, San Francisco, CA 94109

Full name of Second inventor: **Colin Watanabe**

Inventor's signature _____

Date _____

Residence: 128 Corliss Drive, Moraga, CA 94556

Citizenship: U.S.

Post Office Address: 128 Corliss Drive, Moraga, CA 94556

Full name of Third inventor: **William I. Wood**

Inventor's signature _____

Date _____

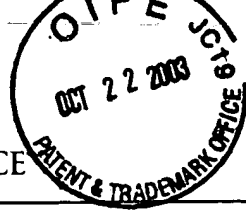
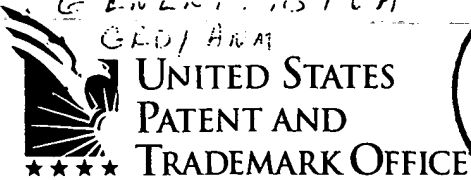
Residence: 35 Southdown Court, Hillsborough, CA 94010

Citizenship: U.S.

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Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

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JANUARY 02, 2002

PTAS
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101884376A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/09/2001

REEL/FRAME: 012266/0426
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
FERRARA, NAPOLEONE

DOC DATE: 08/20/2001

ASSIGNOR:
WATANABE, COLIN

DOC DATE: 08/21/2001

ASSIGNOR:
WOOD, WILLIAM I.

DOC DATE: 10/03/2001

ASSIGNEE:
GENENTECH, INC.
ONE DNA WAY
SOUTH SAN FRANCISCO, CALIFORNIA

94080

No NEW Dates Docketed
Attorney Responsible
Initial *by*

SERIAL NUMBER: 09886242
PATENT NUMBER:

FILING DATE: 06/20/2001
ISSUE DATE:

012266/0426 PAGE 2

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



TO THE ASSISTANT COMMISSIONER FC

101884376

1 documents or copy thereof.

1. Name of conveying party(ies): (If multiple assignors, list numerically)

1)Napoleone Ferrara;2)Colin Watanabe;3) William I. Wood

Additional name(s) of conveying party(ies) attached?
() Yes (X) No

2. Name and address of receiving party(ies):

Name: GENENTECH, INC.

Internal Address: One DNA Way

Street Address: One DNA Way

City: South San Francisco State: CA ZIP: 94080

Additional name(s) of receiving party(ies) attached?
() Yes (X) No

3. Nature of conveyance:

- (X) Assignment
() Merger
() Security Agreement
() Change of Name
() Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above) 1)8/20/01;2)8/21/01;3)10/3/01

4. Application number(s) or Patent number(s):

() Application(s) filed herewith Execution Date(s):

(X) Patent Application No.: 09/886,242
Filing Date: June 20, 2001() Patent No.:
Issue Date:

Additional numbers attached? () Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ginger R. Dreger
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995
Internal Address: Sixteenth Floor
Street Address: 620 Newport Center Drive
City: Newport Beach State: CA ZIP: 92660
Attorney's Docket No.: GENENT.1516A

7. Total fee (37 CFR 1.21(h)): \$40

(X) Enclosed

() Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Ginger R. Dreger
Name of Person Signing

Signature

Date

33,055
Registration No.

Total number of pages including cover sheet, attachments and document: 3

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
Attn: Assignment Division
Crystal Gateway-4
1213 Jefferson Davis Highway, Suite 320
Arlington, VA 22202

ASSIGNMENT

WHEREAS, We, Napoleone Ferrara, a citizen of the United States, residing at 2090 Pacific Avenue, San Francisco, CA 94109, Colin Watanabe, a citizen of the United States, residing at 128 Corliss Drive, Moraga, CA 94556, and William I. Wood, a citizen of the United States, residing at 35 Southdown Court, Hillsborough, CA 94010, (hereinafter "ASSIGNORS") have invented new and useful improvements in

EG-VEGF NUCLEIC ACIDS AND POLYPEPTIDES AND METHODS OF USE

for which an application for Letters Patent in the United States has been filed by them; application Serial No. 09/886,242, filed on June 20, 2001; and

WHEREAS, GENENTECH, INC., a corporation organized and existing and by virtue of the laws of the State of Delaware having a place of business at One DNA Way, South San Francisco, CA 94080, is desirous of acquiring an interest in and to said invention, and in and to the Letters Patents to be obtained therefor;

NOW, THEREFORE, be it known by all whom it may concern;

That for good and valuable consideration the receipt of which is hereby acknowledged, the said ASSIGNORS have and do hereby sell, assign, transfer and set over unto the said GENENTECH, INC., its successors and assigns, the full and exclusive right, title and interest including all rights under the Paris Convention for the Protection of Intellectual Property, in and to said invention, and in and to any and all Letters Patents to be granted and issued therefor, not only for, to, in the United States of America, its territories and possessions, but for, and in all other countries; and it has been and is hereby authorized and requested that the appropriate government agencies issue said Letters Patents to said GENENTECH, INC., in accordance with this Assignment.

Said ASSIGNORS covenant and agree to cooperate with GENENTECH, INC., to enable said GENENTECH, INC. to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said ASSIGNORS includes prompt production of pertinent facts and documents, giving testimony, execution of petition, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said GENENTECH, INC., (a) for perfecting the right, title and interest herein conveyed (b) for prosecuting any of said applications; (c) for filing and prosecuting applications for reissuance of any of said patents; (d) for interference or other priority proceedings involving said invention; and (e) for legal proceedings involving said invention and any applications therefor and any patents thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said ASSIGNORS in providing such cooperation shall be paid for by said GENENTECH, INC.

The terms and covenants of this assignment shall inure to the benefit of said GENENTECH, INC., its successors, assigns and other legal representatives, and shall be binding upon said ASSIGNORS, their respective heirs, legal representatives and assigns.

Said ASSIGNORS hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

Application No.: 09/886,242
Filing Date: 06/20/2001

PATENT
Client Code: GENENT.1516A
Page 2

IN WITNESS WHEREOF we undersign as follows:

South San Francisco
Dated: 7-25-01



Napoleone Ferrara

South San Francisco
Dated: 8-21-01



Colin Watanabe

South San Francisco
Dated: 10/5/01



William I. Wood

South San Francisco
Dated: _____